

REMARKS

Claims 28-38 are pending in the present application. Claims 28, 30 and 32 were amended in this response to correct minor informalities. No new matter has been introduced as a result of the amendments.

Claims 28, 30 and 32 were objected to for informalities. In light of the present amendments, Applicant submits the informalities have been addressed. Withdrawal of the objections is earnestly requested.

Claims 28, 30-32 and 36-38 were rejected under 35 U.S.C. §103(a) as being unpatentable over alleged Applicant's Admitted Prior Art (APA) in view of *Bressler* (US Patent 6,584,190). Claims 33-35 were rejected under 35 U.S.C. §103(a) as being unpatentable over alleged Applicant's Admitted Prior Art (APA) in view of *Bressler* (US Patent 6,584,190) and *Baratz et al.* (US Patent 5,742,596). Applicant respectfully traverses these rejections. Favorable reconsideration is earnestly requested.

As argued previously, claims 28 and 37 recite a terminal device that operates under two signaling protocols for two different types of telecommunication formats, using two protocol stacks for processing the two protocols (see specification page 15, lines 1-7). Accordingly, bits of signaling information, configured to a circuit-switched standard, are additionally transmitted in the packet-switched network up to the terminal of the packet-switched network, and a protocol stack for the circuit-switched signaling is added to the protocol stack for the packet-switched signaling for the processing of the bits of signaling information under the claimed configuration. As such, all performance features known from the circuit-switched networks can be determined instantly in the terminal of the packet-switched network.

The "Description of the Prior Art" generally discloses that under the H.323 architecture, where H.225 signaling allows the transmission of some signaling packets in a packet switched communication using a gatekeeper of the packet-switched communication network (page 2, line 7 - page 3, line 9). However, the section relied upon by the Office Action fails to teach or suggest the protocol stack configuration where first signaling information is communicated between the communication network and the data processing device through the interface with the assistance of signaling packets of the packet-switched communication network, and the second signaling information is communicated between the communication network and the data

processing device through the interface with the assistance of data packets of the packet-switched communication network.

Regarding Bressler, the reference discloses a communication network that provides added capacity for existing SS7 links or to replace an existing SS7 link, by providing the channel between two network nodes (i.e., SSP, STP, SCP) with links of a general purpose data network 14 (col. 3, lines 13-16). Node interfaces are provided that encapsulate SS7 messages into UDP or TCP packets (col. 4, lines 57-67). This disclosure does not address terminal devices, but addresses network node communication, which is based on a different telecommunication standard (ANSI T1.111; SS7). While Bressler states that "other standards or protocols for exchanging telephony control signaling may be used," the only disclosure that is provided in Bressler appears to be the message transfer part (MTP) protocol layer, which deals with communication between nodes or between PSTN exchanges (col. 1, lines 25-28; col. 6, lines 21-37). There is no teaching or suggestion in Bressler that would make the MTP protocol applicable for interfacing a terminal device to a communication network.

The present claims recite a terminal device comprising first standard signaling protocol for packet-switched telecommunications that is processed under a first protocol stack, and second signaling information according to a standard signaling protocol for circuit-switched telecommunications that is processed under a second protocol stack. The SS7 arrangement of Bressler (col. 6, lines 21-37) and the "encapsulation" of SS7 messages into UDP/TCP packets (col. 4, lines 57-67) makes clear that the signaling used for inter-node communication is done under the same stack (IPLink - see col. 10, lines 45-56). The "reduced cost" cited in Bressler refers to the fact that SS7 is out-of-band signaling that requires its own separate signaling network and linking in relation to each node (col. 1, lines 17-22, 43-62).

There is no apparent reason why one skilled in the art would combine the elements described in the Background with Bressler. As discussed above, the function and structure of the encapsulated MTP/SS7 signaling is different from the presently claimed features and the protocol is inapplicable for terminal devices connecting to a network. The Office Action does not provide any evidence that the combination would yield predictable results, nor that one having ordinary skill in the art would recognize any benefit from utilizing Bressler in combination with the Background features.

Regarding claims 33-35, Baratz fails to solve the deficiencies of the documents described above. As argued previously, Baratz discloses a terminal representing a conventional PC utilizing a Novell network protocol (col. 5, lines 39-42), where a PC is equipped with a telephone client module TCM (174), and bits of signaling information, which are fashioned according to a PBX telecommunications standard, are transmitted in packets to the telephone (col. 4, lines 35-48). The PC receives the packets in a customary manner and processes these according to the standard Novell protocol, and the signaling contained in the packets is removed and forwarded to the TCM 174 (col 5, lines 31-53; col 9, lines 42-67). In order to process the signaling, the TCM 174 has only one protocol stack which is exclusively reserved for processing the PBX protocol (col. 1, lines 65-67: "[i]t is an object of the present invention to provide an improved network based PBX system that integrates voice and data traffic within a single network infrastructure").

Furthermore, there is no apparent reason why one skilled in the art would combine Bartz with the elements described in the Background and Bressler - Bartz teaches that the Novell/PBX protocol is the only telecommunications protocol that is supported by the PC, and an additional packet-oriented telecommunications protocol is not supported within the teaching of Baratz. This clearly teaches away from the APA and Bressler. For at least these reasons, Applicant submits the rejections under 35 U.S.C. §103 are improper and should be withdrawn

In light of the above, Applicant submits that the present claims are allowable. Applicant also requests that a timely Notice of Allowance be issued in this case. Should there be any additional charges regarding this application, the Examiner is hereby authorized to charge Deposit Account 02-1818 for any insufficiency of payment.

Respectfully submitted,

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